

## **REMARKS**

Claims 1-9 are now pending in the application. Claims 1 and 2 are now amended. The claim amendments are fully supported by the application as filed and do not introduce new subject matter. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 2, and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Endo (U.S. Pat. No. 6,565,185). This rejection is respectfully traversed.

Amended independent Claim 1 recites, in part, a second step of performing the function liquid droplet ejection confirming operation once again, prior to performing a maintenance work. Thus, in the invention of Claim 1, the function liquid droplet ejection confirming operation is performed twice before any maintenance work is performed, such as cleaning the ejection nozzles. Under the doctrine of claim differentiation, Claim 1 excludes the step of performing maintenance between the confirming operation of the first step and the confirming operation of the second step because, as recited in Claim 2, the step of performing the maintenance work is only performed after the first and second steps are complete.

The Endo reference appears to disclose, with reference to Figure 34, a first testing step S403 and a second testing step S442. A cleaning step S441 is performed between the first testing step S403 and the second testing step S442. The Endo reference fails to disclose or suggest performing a function liquid droplet ejection

confirming operation twice prior to performing a maintenance work, as set forth in amended Claim 1.

The Endo reference fails to disclose or suggest each and every feature of amended Claim 1. Therefore, the Endo reference fails to anticipate or render obvious Claim 1 and those claims dependent therefrom. Applicant respectfully requests reconsideration and withdrawal of this Section 102 rejection of amended Claim 1 and those claims dependent therefrom.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Endo (U.S. Pat. No. 6,565,185) in view of Choi (U.S. Pat. App. No. 2002/0171699). Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Endo reference in view of Turner et al. (U.S. Pat. No. 6,480,182). Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Endo reference in view of the Turner et al. reference and further in view of Kawase et al. (U.S. Pat. No. 6,783,208). These rejections are respectfully traversed.

All of the rejected claims are dependent upon amended independent Claim 1. As set forth above, amended Claim 1 is not anticipated by, or obvious in light of, the prior art. Therefore, the rejected dependent claims are also not obvious in light of the prior art, at least for the same reasons set forth above with respect to Claim 1.

Applicant respectfully requests reconsideration and withdrawal of this Section 103 rejection.

### CONCLUSION

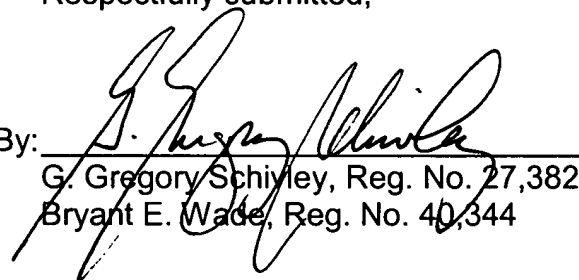
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

Sept 26, 2005

By:

  
G. Gregory Schiwey, Reg. No. 27,382  
Bryant E. Wade, Reg. No. 40,344

Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GGG/BGS/les